



REC'D TN  
REGULATORY AUTH.

BellSouth Telecommunications, Inc.  
Suite 2101  
333 Commerce Street  
Nashville, Tennessee 37201-3300

615 214-6301  
Fax 615 214-7406

CO MAY 3 PM 3 58

Guy M. Hicks  
General Counsel

May 3, 2000 RE  
EXECUTIVE SECRETARY

VIA HAND DELIVERY

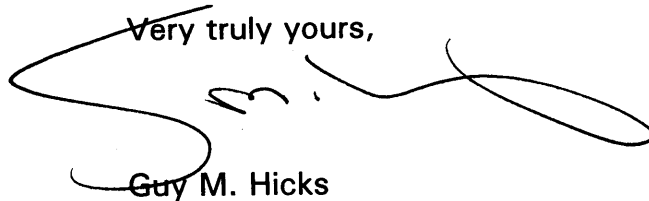
David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *Petition for Arbitration of BlueStar Networks, Inc. with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996*  
Docket No. 99-00945

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s Interrogatories and Requests to Produce to BlueStar Networks, Inc. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,



Guy M. Hicks

GMH:ch  
Enclosure

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**  
Nashville, Tennessee

RECEIVED  
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MAY 3 PM 3 58  
EXECUTIVE SECRETARY

In Re:	)	
	)	
Petition for Arbitration of BlueStar	)	Docket No. 99-00945
Networks, Inc. with BellSouth	)	
Telecommunications, Inc. Pursuant	)	Filed: May 3, 2000
To the Telecommunications Act of	)	
1996	)	
_____	)	

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
INTERROGATORIES AND REQUESTS TO PRODUCE  
TO BLUESTAR NETWORKS, INC.**

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests that BlueStar Networks, Inc. ("BlueStar") provide answers and furnish documents in response to the following by May 24, 2000 and states the following:

**INSTRUCTIONS**

(a) If any response required by way of answer to this discovery is considered to contain confidential or protected information, please inform BellSouth immediately to arrange for the request of the entry of an appropriate Protective Order in this docket.

(b) If any response required by way of answer to this discovery is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion. If any document is withheld under a claim of privilege, furnish a list of each document for which the privilege is claimed, reflecting the name and address of the person who prepared the document, the

date the document was prepared, each person who was sent a copy of the document, each person who has viewed or has had custody of a copy of the document, and a statement of the basis on which the privilege is claimed.

(c) This discovery is to be answered with reference to all information in your possession, custody or control or reasonably available to you, and is intended to include requests for information that is physically within BlueStar's possession, custody or control as well as in the possession, custody or control of BlueStar's agents, attorneys, or other third parties from which such documents may be obtained.

#### **DEFINITIONS**

(a) "Person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

(b) "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Data Requests information that would not otherwise be brought within their scope.

(c) "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its

date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

### **INTERROGATORIES**

1. In the Issues Matrix filed April 27, 2000, BlueStar states that the rates for the manual use of the Loop Make-up Service Inquiry ("LMUSI") process should not exceed the rate for electronic access to loop make-up databases. Please state in detail the explanation for this position.

2. Do you contend that the LMUSI process, when performed electronically and manually have the same cost basis? If so, explain your rationale for this contention.

3. In the Issues Matrix filed April 27, BlueStar contends that if it places a loop order after using the LMUSI, the charge for the LMUSI should be applied to the ordered loop's nonrecurring charge. Please explain in detail your rationale for this position.

4. In BlueStar's Petition, it takes the position that when its orders for ADSL loops are rejected, these loop orders should be automatically converted to UCL orders. This position is not set forth in the Issues Matrix filed April 27, 2000. Has BlueStar abandoned this issue in this arbitration?

5. In the Issues Matrix filed April 27, BlueStar contends that “the appropriate rates for an unbundled copper loop should not exceed the rates for voice grade loops.” Please explain in detail your rationale for this position.

6. Do you contend that a voice grade loop and an unbundled copper loop are identical? If not, do you contend that they, nevertheless, have the same cost basis? Please explain in detail your rationale for this position.

7. In the Issues Matrix filed April 27, BlueStar sets forth certain rates for loop conditioning. Please describe in detail the basis for these proposed rates and the reason that you believe these rates to be appropriate.

8. In the Issues Matrix filed April 27, 2000, BlueStar states proposed nonrecurring rates for the cross connection that is the subject of Issue 16. Please describe in detail the basis for these proposed rates and the reason that you believe these rates to be appropriate.

#### **PRODUCTION REQUESTS**

1. Please produce any cost studies, information, data, or analysis in your possession that relates to the cost-based rate for the LMUSI process when performed manually.

2. Please produce any cost studies, information, data or analysis in your possession that relates to the cost-based rate for the LMUSI process when performed electronically.

3. Please produce any cost studies, analysis, data, or other information in your possession that supports, rebuts or any way relates to your answer to Interrogatory No. 7.

4. Please provide any cost study, analysis, information or data in your possession or control that supports, rebuts or any way relates to your response to Interrogatory No. 8.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: \_\_\_\_\_

Guy M. Hicks  
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J. Phillip Carver  
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(404) 335-0710

211108

**CERTIFICATE OF SERVICE**

I hereby certify that on May 3, 2000, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

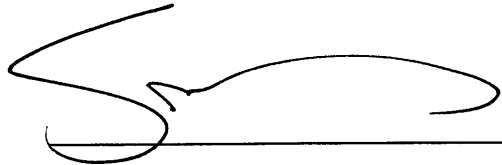
Richard Collier, Esquire  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0500

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

Michael B. Bressman, Esquire  
BlueStar Networks  
401 Church St., 24<sup>th</sup> Fl.  
Nashville, TN 37219

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

Henry Walker, Esquire  
Boult, Cummings, et al.  
414 Union Ave., #1600  
P. O. Box 198062  
Nashville, TN 39219-8062



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